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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/985,741	11/06/2001	Hiroshi Koide	215810US3	4234
22850	7590	08/30/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			PHAM, HAI CHI	
			ART UNIT	PAPER NUMBER
			2861	

DATE MAILED: 08/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	<p>Application No.</p> <p>09/985,741</p>	<p>Applicant(s)</p> <p>KOIDE, HIROSHI</p>	
	<p>Examiner</p> <p>Hai C Pham</p>	<p>Art Unit</p> <p>2861</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-8, 10-14, 17-34, 36-39 and 41-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4, 6-8, 17-34, 36-39 and 41-43 is/are allowed.
- 6) ☒ Claim(s) 10, 11 and 13 is/are rejected.
- 7) ☒ Claim(s) 12 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)
 Paper No(s)/Mail Date: _____</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

FINAL REJECTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori et al. (U.S. 5,995,802) in view of Nagata et al. (U.S. 5,321,477).

Mori et al. discloses an image forming apparatus comprising a belt driving means comprising a first roller (drive roll 25) positioned at one end of the belt (transfer belt 24) for driving said belt, at least one rotary body (photoreceptor drums 6Y, 6C, 6M, 6B) arranged side by side in a direction of movement of the belt and pressed against said belt directly, wherein the first roller has allowable eccentricity reduced to a range such that it does not effect a variation of a speed of the belt (the eccentricity of the drive roll being reduced through the precision of the manufactured drive roll [see col. 19, lines 50-62] and/or by setting the diameter of the drive roll to a required ratio with respect to the diameter of the photoreceptor drum [col. 33, line 66 to col. 34, line 50]).

However, Mori et al. fails to teach the stationary guide body adjoining the drive roller and contacting the belt at a side where the rotary body is positioned.

Nagata et al. discloses an image forming device comprising a transfer member transport belt (10), at least one rotary body (photosensitive drum 1) arranged in a

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direction of movement of the belt and pressed against said belt directly, and a stationary guide body (pressure guide 56) adjoining the belt rollers (11 and 12) and contacting the belt at a side where said photosensitive drum is positioned (the pressure guide 56 having guides 55 constantly pressed against the transfer belt 19 by spring 57, Figs. 17-18).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to incorporate the guide plate as taught by Nagase et al. in the device of Mori et al. The motivation for doing so would have been to prevent any fluctuation, e.g., wrinkling and float, of the belt and thus to prevent unevenness of the printed image.

With regard to claim 11, Mori et al. further teaches the drive roll (25) comprising a motor (80).

3. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mori et al. in view of Nagata et al., as applied to claims 10 and 11 above, and further in view of Noguchi et al. (JP 10-260590).

Mori et al., as modified by Nagata et al., discloses all the basic limitations of the claimed invention except for the drive roller and the shaft of the drive roll being molded integrally with each other.

Noguchi et al. discloses an image forming apparatus having an endless belt (4) driven by a drive roll (2A) integrally formed with a shaft (2aa), and drive roll being driven by a motor (70).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide the drive roller with an integrally formed shaft as taught by Noguchi et al. in the modified device of Mori et al. The motivation for doing so would have been to prevent any slip or misengagement between the shaft and the drive roller such that the belt is accurately driven, and the color misregistration would be avoided.

Allowable Subject Matter

4. Claims 1-4, 6-8, 17-34, 36-39, 41-43 are allowed.
5. Claims 12 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments with respect to claims 10, 11 and 13 have been considered but are moot in view of the new grounds of rejection as presented in this Office action.

Conclusion

7. Applicant's amendment, which changed the scope of the base claim 10, necessitated the new grounds of rejection presented in this Office action. Accordingly,

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THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai C Pham whose telephone number is (571) 272-2260. The examiner can normally be reached on M-F 8:30AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



HAI PHAM
PRIMARY EXAMINER

August 26, 2004